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C O N F I D E N T I A L BOGOTA 011816

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TAGS: KJUS PGOV PREL PTER CO

SUBJECT: AMBASSADOR DISCUSSES PARAMILITARY INFLUENCE,
REINTEGRATION WITH MINISTER OF JUSTICE AND PROSECUTOR
GENERAL

Classified By: Ambassador William B. Wood.

Reasons: 1.4 (b) and (d)

Summary

¶1. (C) On December 17, Minister of Interior and Justice Sabas Pretelt and Prosecutor General Mario Iguaran met with the Ambassador to discuss the Ambassador's December 16 speech in which he urged that Justice and Peace law benefits be withdrawn from paramilitaries who interfered with a free and fair electoral environment. Pretelt and Iguaran expressed unhappiness with the Ambassador's comments because they said opposition candidates could use them to criticize Uribe during the upcoming electoral campaigns. The Ambassador said his intention was not to interfere with the elections in any way, but rather to support a democratic, free, open, and transparent democratic process. The Ambassador expressed concern about the slow pace of implementation of the Justice and Peace law. Pretelt and Iguaran said Justice and Peace law implementation would begin in earnest after demobilizations are completed in February 2006. The Ambassador requested more extensive communication and coordination between government entities involved in interviews, monitoring, reparations, and reinsertion of demobilized paramilitaries, and greater results. End summary.

Ambassador's December 16 Remarks

¶2. (U) In a December 16 speech at a graduation ceremony for public servants who had completed a USAID-funded human rights diploma course, the Ambassador said, "Colombia still suffers from political violence and intimidation. This is not new, but it is serious. I recall the concern in the local and regional elections of 2003 at the number of unopposed candidates whose legitimate opponents had been corrupted, frightened away or, in some cases, murdered. There is wide concern that similar corrupt electoral practices may occur in the elections of 2006, notably by paramilitaries." The Ambassador noted the Justice and Peace law benefits should not accrue to paramilitaries who interfered with a free and fair electoral environment by acts of corruption, violence,

or intimidation.

GOC'S Unhappy Response

13. (U) The Ambassador's comments drew an immediate rebuke from the President's Office for "interference in internal affairs." The GOC's December 16 communique said, "The Colombian Government does not accept the meddling of foreign governments, even if it is the United States. Colombian laws are clear and blunt regarding the fact that if a rebel who has been reintegrated into society interferes with the exercise of democracy, he loses the benefits (of the reintegration). The United States cannot use Plan Colombia as an element to exert pressure over our country."

Ambassador Reiterates Concern

14. (C) The Ambassador clarified in a public statement on December 17 and later in person to Pretelt and Iguaran that his intention was not to interfere with the elections in any way, but rather to support a democratic, free, open, and transparent process in 2006. The Ambassador emphasized the GOC must recognize paramilitary interference in upcoming elections is a legitimate concern. (Following the Ambassador's statement, the GOC issued a statement stating publicly for the first time that a reinserted paramilitary who interfered with a free and fair electoral campaign would lose Justice and Peace benefits.) Pretelt said the GOC's discontent with the Ambassador's comments had mainly to do

with the likelihood that the opposition would use them against Uribe, and the perception that they delegitimized the 2003 elections. He added that the Embassy's continued pressure on issues such as extradition of Diego Murillo, AKA "Don Berna," and the demand for results on Justice and Peace (J&P) law implementation, is putting a strain on the bilateral relationship. He also said that the government is more angry with former president and Liberal Party leader Cesar Gaviria for his claims that Uribe is seeking paramilitary support, and that they were thinking of stopping dialogue with Gaviria. Iguaran recognized, nevertheless, that the GOC's public overreaction to the Ambassador's December 16 statements had armed the opposition.

Justice and Peace Law

15. (C) Pretelt said the implementation of J&P law and the proper functioning of the Prosecutor General's Office (Fiscalia) J&P unit would not occur until the last demobilization, expected mid-February, 2006. According to Pretelt, the GOC cannot begin judicial procedures against the paramilitary leaders until all paramilitaries demobilize, since prosecutions could discourage others from demobilizing. He explained that there is a consensus in Colombia for peace and that this consensus overrides other national goals. The inability of the international community and NGOs to understand this, and their continued pressure, was counterproductive in the midst of progress toward peace. Pretelt reiterated his hope for greater patience from critics because by February over 20,000 former combatants would have demobilized.

16. (C) The Ambassador acknowledged Pretelt's call for patience, but he said even though the "official" justiciable prosecutions would have to wait, there is much to be done to prepare for the proper functioning of the J&P unit and the implementation of the law. Iguaran said he expected the J&P unit to be fully functional with personnel and equipment by the end of January. Nevertheless, he clarified that the unit is already "unofficially" working on cases against paramilitary leaders. For example, the unit assisted in the

recent seizure of 110 properties belonging to paramilitary leader and drug trafficker Francisco Zuluaga, AKA "Gordo Lindo," and is currently assisting in the process of seizing the property of paramilitary commander Carlos Mario Jimenez, AKA "Macaco," on which a public announcement is expected in the coming weeks.

Ambassador Focuses on Reintegration

¶ 7. (C) The Ambassador stressed that since demobilizations would be completed in less than two months, the government needs to prepare for the overwhelming task of reintegrating these individuals back into society. Thus far, the results are discomforting. He requested more communication and coordination among the various GOC entities involved in this process. He hoped the GOC could focus on developing clear programs that the international community can assist. The lack of a single senior official who could lead these efforts makes it challenging for the government. The Ambassador emphasized that more needs to be done on interviewing, monitoring, reparations, and reinsertion of the demobilized. Involving the private sector in job creation is critical. Pretelt agreed that greater coordination is needed among agencies and he hoped that once the paramilitaries turn over their properties for reparation purposes that those territories could serve as a means to ensure reparations to victims and provide employment to lower-ranking paramilitary members.

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